

MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA SOUTHERN, DIVISION

HON. CHARLES S. COODY, MAG. JUDGE AT MONTGOMERY, ALABAMA

DATE COMMENCED: 2/6/07 AT 1:26 p.m. to 1:38 p.m.

DATE COMPLETED: 2/6/07 AT FTR RECORDING

LATTIME CONSTRUCTION AND HOME
BUILDING, INC.

Plaintiff

vs..

CENTURYTEL SERVICE GROUP, et al

Defendant

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CASE NO. 1:05CV-1062-MEF-CSC

PLAINTIFF

APPEARANCES:

DEFENDANT

Atty. John E. Byrd

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Atty. Craig A. Alexander

COURT OFFICIALS PRESENT:

COURTROOM DEPUTY: WANDA STINSON

LAW CLERK: CORRIE LONG

(X) OTHER PROCEEDINGS:

**TELEPHONE CONFERENCE: ORAL ARGUMENTS RE: MOTION TO
COMPEL**

SEE MINUTES ATTACHED

LOG OF PROCEEDINGS ELECTRONICALLY RECORDED		
Description	Motion hrg. Re; Motion to Compel - 05cv1062-MEF-CSC	
Date	2 / 6 /2007	Location Courtroom 4B
Time	Speaker	Note
1 :26:50 PM	Court	Conference call begins; parties on line as noted; Discussions as to the motion to compel filed by the Plaintiff concerning the production of a contract between Berry and Centurytel concerning the publication of directory listings; Why is contract relevant?
1 :28:15 PM	Atty. Byrd	Response;
1 :30:39 PM	Court	Discussion as to deff's position that everybody agrees that it's the fault of the Berry Company;
1 :30:51 PM	Atty. Byrd	Not us;
1 :30:53 PM	Atty. Alexander	I wouldn't say fault, but would say possibility;
1 :30:57 PM	Court	Question as to whether plaintiff is entitled to see the contract;
1 :31:06 PM	Atty. Alexander	Response;
1 :32:29 PM	Cour	Discussion as to what the contract is about;
1 :32:44 PM	Atty. Alexander	Response;
1 :34:24 PM	Atty. Byrd	Response;
1 :35:41 PM	Court	Discussion as to whether Centurytel threaten to cutoff plaintiff phone services because he wasn't paying the directory charges;
1 :35:52 PM	Atty Alexander	Response - Disagrees with that;
1 :36:08 PM	Court	Response;
1 :36:15 PM	Atty. Byrd	We have documents presented to Mr. Alexander that showed that;
1 :36:19 PM	Court	Will order that the defendant's send, not file, to me a copy of the contract to review it; and also Mr. Bryd mentioned several documents that shows some relevance about the contract to get those to me also; When is this case set for trial?;
1 :37:10 PM	Atty. Byrd	February 26th;
1 :37:17 PM	court	Parties advised to get in those contracts and documents;
1 :37:26 PM	Atty. Alexander	Discussion as to that Centrytel did not threaten to cutoff Lattime phone services for failure to pay advertising charges;
1 :37:44 PM	Court	Response;
1 :38:20 PM	Court	Court is recessed.